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In re Application of :
ZELDER, Oskar, et al. :
U.S. Application No.: 10/579,690 :
PCT No.: PCT/IB2004/004429 :
International Filing Date: 17 December 2004 :
Priority Date: 18 December 2003 :
Att. Docket No.: BGI-158US :
For: METHOD FOR THE PREPARATION :
OF LYSINE BY FERMENTATION OF :
CORYNEBACTERIUM :
GLUTAMICUM :

PCT LEGAL ADMINISTRATION

DECISION

This is a decision in response to applicant's petition under 37 CFR 1.181 for a corrected Notice of Acceptance and filing receipt, filed in the United States Patent and Trademark Office on 28 July 2010.

BACKGROUND

On 10 January 2007, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) was required.

On 09 March 2007, applicant submitted a declaration of the inventors.

On 29 August 2007, a Notification of Acceptance (Form PCT/DO/EO/903) and filing receipt were mailed giving the application a 35 U.S.C. §371(c)(1), (c)(2) and (c)(4) date of 06 March 2007.

On 28 July 2010, applicants filed this petition for a corrected Notice of Acceptance and filing receipt.

DISCUSSION

The Notification of Acceptance mailed 29 August 2007, indicated that the declaration in compliance with 37 CFR 1.497(a)-(b) was received on 06 March 2007. A review of the file reveals that a declaration in compliance with 37 CFR 1.497(a)-(b) was not received until 09 March 2007. As such, the completion dates for the requirements under 35 U.S.C. §371(c)(1), (c)(2) and (c)(4) and for all requirements under 35 USC 371 are 09 March 2007, not 06 March 2007.

CONCLUSION

For the reasons discussed above, the Petition Under 37 CFR 1.181 is **GRANTED**.

The Notification of Acceptance (Form PCT/DO/EO/903) and filing receipt mailed 29 August 2007 are **VACATED**.

This application is being forwarded to the National Stage Processing Branch of the Office of Patent Application Processing for further processing in accordance with this decision, including the mailing of a corrected Notification of Acceptance (Form PCT/DO/EO/903) and filing receipt.

/Erin P. Thomson/

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